

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE  
WRIT PETITION NO. 3422 OF 2006

Maruti Vitthal Gopale

.. Petitioner

Vs.

The  
Thane and anr.

Commissioner  
.. Respondents

of

Police,

Ms. Veena B. Thadani with Mr. Vishal Thadani for  
petitioner.

Mr. R.M. Patne, AGP for State.

**CORAM: B.H. MARLAPALLE, J.**

**Date : June 08, 2006.**

**P.C.:**

1. Heard the learned counsel for the petitioner.

2. The petitioner has suffered an order dated  
25/4/2006 passed by the Commissioner of Police, Thane  
under the Bombay Police Act, 1951 and the said order  
has been challenged in an appeal filed before the  
State Government, on 29/4/2006.

3. The learned counsel for the petitioner states  
that neither the appeal nor the prayer for interim  
stay to the impugned order could be heard and decided

by the Lower Appellate Authority and, therefore, the petitioner has approached this court.

4. The learned AGP, on instructions, states that the pending appeal will be decided within two to three weeks from today. It is directed that the pending appeal and/or the prayer for interim relief be heard and decided by the Lower Appellate Authority on its own merits by 23/6/2006.

5. Petition disposed off accordingly.

**(B.H. Marlapalle,J.)**